IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.107 OF 2007

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri Vaibhav Ratankar holding for Mandar Limaye for the Petitioner.

CORAM : ABHAY S.OKA, J.
DATED : APRIL 21, 2007.

P.C.:

1. Heard Advocate for the Petitioner. The Petitioner is the Respondent in First Appeal No.372 of 2006 filed by the first Respondent herein. A civil suit was filed by the first Respondent. The said suit was dismissed. On 01st March, 2006, in the First Appeal preferred by the first Respondent this Court directed that order of status-quo granted by the trial Court will continue till 14th June, 2006. It is stated that by order dated 11th October, 2006 the said order of status-quo was continued. By an order dated 29th November, 2006, the order of status-quo was continued till the disposal of the Appeal. Breach alleged is of the said orders. It is contended that notwithstanding

the said order of status-quo, a mutation entry was ordered to be made by order dated 31st October, 2006 passed by the Awal Karkoon, Taluka Mulshi, District Pune in respect of the suit property in favour of the Respondent.

2. It must be noted here that the proceedings for mutation entry appear to have been initiated in January 2005 on the basis of which order dated 31st October, 2006 was passed. If the revenue authorities ordered mutation entry to be made on the basis of proceeding initiated on the basis of objection raised on 28th January, 2005, by no stretch of imagination it can be stated that the first Respondent has committed any deliberate or willful breach of the order passed by this Court. No case is made out for initiating action under the Contempt of Courts Act, 1971. Hence, Contempt Petition is disposed of.

JUDGE